

**Enrolled Minutes of the Twenty-Fifth Regular or Special Meeting  
For the Twenty-Eighth Highland Town Council  
Regular Meeting  
Monday, December 12, 2016**

*Study Session.* The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, December 12, 2016 at 6:44 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

*Silent Roll Call:* Councilors Bernie Zemen, Mark Herak, Dan Vassar and Steve Wagner were present. Councilor Konnie Kuiper was absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council discussed with the Building Commissioner the no parking enforcement during the recent heavy snow, exceeding one inch.

The study session ended at 7:01 O'clock p.m.

*Regular meeting.* The Twenty Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, December 12, 2016 at 7:03 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Town Council President, Bernie Zemen, presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Steve Wagner Councilor Konnie Kuiper was absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett Tauber, Town Attorney; John Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD; Kenneth J. Mika, Building Commissioner; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director, were present.

*Also present:* Jared Tauber, Esq., Town Solicitor; Susan Murovic, Advisory Board of Zoning Appeals; and Ed Dabrowski IT Director (Contract) were also present.

**Minutes of the Previous Session:**

The Minutes for November 28, 2016 were approved by general consent.

**Special Orders:**

1. **Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located 10430-10434 Indianapolis Boulevard, **Highland**, to allow use of the property to host a gasoline station/convenience store/wash in property which is currently NOT a corner lot, which is currently not a permitted use at such a location. Petitioner: **Duke of OIL, c/o Kal Patel, 8202 Calumet Avenue, Munster, Indiana 46321.** The Advisory Board of Zoning Appeals by a vote of three (3) affirmatives

and two (2) negatives acted to advise the legislative body with a **favorable recommendation for the request for the use variance** for the property. The ABZA acted at its meeting of 28 September 2016. The findings of fact were memorialized and the board approved the facts in written form at its meeting of 26 October 2016. (90 days ends 27 December 2016). This finding of facts was placed before the Town Council.

This matter was placed before the Town Council at its meeting of 14 November 2016. At that meeting, the matter was laid on the table. At its meeting of 28 November 2016, the Town Council took this matter from the table and set it for a special order at the meeting of December 12, 2016.

*Pursuant to IC 36-7-4-918.6, the Town Council may either **accept the favorable recommendation and GRANT the requested use variance** or it may **reject (over rule) the favorable recommendation and DENY the use variance**. If not acted upon by the Town Council within the 90 days described above, the advisory action of the Advisory Board of Zoning Appeals stands.*

Councilor Herak moved, seconded by Councilor Wagner to accept the favorable recommendation and grant the use variance as requested. Upon a roll call vote, there were three affirmatives and one negative. With Councilors Herak, Wagner and Zemen voting in the affirmative and Councilor Vassar voting in the negative, the motion passed. The favorable recommendation was accepted and the use variance was granted.

2. **Executive Proclamation:** A Proclamation in Recognition of Highland Girl Scout Troop 10287 and Proclaiming the Week of December 12 – 17, 2016 As Highland Girl Scout Troop 10287 Yuletide Kindness and Trim-a-Tree Project Week.

The Clerk-Treasurer read aloud the enrolled executive proclamation. The Town Council evidenced his approval and adoption with his signature.

**Town of Highland  
Proclamation of the Town Executive**

**A Proclamation in Recognition of Highland Girl Scout Troop 10287 and Proclaiming the Week of December 12 – 17, 2016 As Highland Girl Scout Troop 10287 Yuletide Kindness and Trim-a-Tree Project Week.**

**WHEREAS,** The Leader and Members of Girl Scout Troop 10287 determined to bring Holiday Cheer and Do Good for the Community; and,

**WHEREAS,** On December 5, 2016 the leaders and members of the Girl Scout Troop 10287 provided a Christmas Tree, affixed several decorations on it and placed it on display in the foyer of the Highland Town Hall, and in doing so brought a spirit of Holiday cheer and ushered in the Yuletide for the public workers and the residents who use the Highland Municipal Building; and

**WHEREAS,** The leaders and members of the Girl Scout Troop 10287 have provided a Christmas Tree, affixed several decorations on it and placed it on display in the foyer of the Highland Town Hall as a Troop project, styled as "Trim-a tree" since 2013; and

**WHEREAS,** It is noted that the Girl Scout Promise calls for Girl Scouts to serve God and Country, to help people at all times and to live by the Girl Scout Law; and

**WHEREAS,** It is further noted that the Girl Scout Law requires a Girl Scout to be honest and fair, friendly and helpful, considerate and caring, courageous and strong, and responsible for words and actions, to respect herself, others and authority, to use resources wisely, make the world a better place and be a sister to every Girl Scout; and

**WHEREAS,** In bringing a Christmas Tree and voluntarily decorating the Highland Town Hall for the holidays, the Girls and Leader of Troop 10287 clearly are well keeping the Girl Scout Promise and exhibit the most noble way all the elements of the Girl Scout Law, particularly making this world a better place; and

**WHEREAS,** The Elected Officers, appointed officers, employees who serve and work in as well as the residents who access the municipal building are deeply appreciative of the kindness of the gesture and the wonder of the Season that the decoration and the tree evoke;

NOW, THEREFORE, I, Bernie Zemen, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, do now hereby proclaim the week of **December 12 to December 17, 2016**, to be **Highland Girl Scout Troop 10287 Yuletide Kindness and Trim-a-Tree Project Week** in the Town of Highland;

That I further proclaim that the Leader and Girl Scouts of Troop 10287, are to be esteemed and regarded with deep appreciation and high praise for their kind and worthy act;

That I still further urge that their Highland neighbors join us in thanking these wonderful, exemplary citizens of our community;

That I still further now engross the names of the Girl Scout Troop 10287 in this proclamation to be permanently recorded and spread across the public record of the municipality, to wit: *Milica Barron*, Leader; *Erica Ramirez*, Co-Leader; *Audrey Adams*, Junior; *Victoria Ayon*, Brownie; *Andrijana Barron*, Brownie; *Lilijana Barron*, Brownie; *Logan Bierman*, Junior; *Isabella Crema*, Junior, *Hannah Harfoush*, Brownie; *Allison Murrieta*, Junior; *Alicia Ortiz*, Junior and *Tatjana Barron*, Girl Scout in training.

**Duly Proclaimed** by the President of the Town Council of the Town of Highland, Lake County, Indiana, this 12<sup>th</sup> day of December 2016.

TOWN of HIGHLAND, INDIANA  
By its TOWN COUNCIL PRESIDENT

Bernie Zemen, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Town Clerk-Treasurer

**Staff Reports:** The following staff reports were received and filed.

• **Building & Inspection Report for November 2016**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	5	0	5	\$120,453.00	\$2,632.50
Signs:	5	0	5	\$27,974.00	\$1,547.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	1	1	0	\$160,000.00	\$1,992.00
Residential Additions:	1	1	0	\$43,280.00	\$716.00
Residential Remodeling:	89	89	0	\$478,338.00	\$9,243.50
Garages:	2	2	0	\$43,412.00	\$802.00
Sheds:	2	2	0	\$2,500.00	\$278.00
Decks & Porches:	2	2	0	\$3,270.00	\$362.00
Fences:	8	8	0	\$25,673.00	\$804.00
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	1	1	0	\$4,470.00	\$117.00
Miscellaneous	2	2	0	\$435,000.00	\$5,017.00
<b>TOTAL:</b>	<b>118</b>	<b>108</b>	<b>10</b>	<b>\$1,344,640.00</b>	<b>\$23,511.50</b>
<b>Electrical Permits</b>	23	18	5		\$1,945.50
<b>Mechanical Permits</b>	20	13	7		\$1,480.00
<b>Plumbing Permits</b>	12	5	7		\$1,778.75
<b>Water Meters</b>	0	0	0		\$0.00
<b>Water Taps</b>	0	0	0		\$0.00
<b>Sewer/Storm Taps</b>	2	0	2		\$1,000.00
<b>TOTAL Plumbing:</b>	14	5	9		\$2,778.75

**November Code Enforcement:**

Investigations: 57  
Citations: 01

**November Inspections:**

Building: 20      Electrical: 35      Plumbing: 10      HVAC: 08  
Electrical Exams: 0

• **Fire Department Report for November 2016**

	Month	2 <sup>nd</sup> half of year
General Alarms	09	48
Still Alarms	06	18
Paid still alarms	28	160
<b>Total:</b>	<b>43</b>	

• **Workplace Safety Report for November 2016**

There was one incident to report for November. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2016	Total in 2015	Restricted Days 2016	Lost Workdays This Year (2016)	Restricted Days Last Year (2015)	Lost Workdays Last Year (2015)
Parks	0	1	1	12	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	4	1	2	0	0	0
Street	0	1	2	0	0	0	0
Water & Sewer	1	5	4	14	0	5	0
Maint.	0	1	0	0	0	0	0
Other	0	0	1	0	0	0	0
<b>TOTALS</b>	<b>1</b>	<b>12</b>	<b>9</b>	<b>28</b>	<b>0</b>	<b>5</b>	<b>0</b>

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Unfinished Business and General Orders:**

1. **Resolution No. 2016-43:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Metropolitan Police Department In The Corporation General Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Herak moved the passage and adoption of Resolution No. 2016-43, seconded by Councilor Vassar. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND  
APPROPRIATION TRANSFER RESOLUTION  
RESOLUTION NO. 2016-43**

**AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the METROPOLITAN POLICE DEPARTMENT in the CORPORATION GENERAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.**

**WHEREAS**, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Metropolitan Police Department in the Corporation General Fund**;

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

**Section 2.** That is has been shown that certain existing unobligated appropriations of the **Metropolitan Police Department in the Corporation General Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

**Metropolitan Police Department**

Reduce Accounts:	
#111.21 Patrol	\$ 30,946.00
<i>Total 100 Series Reductions:</i>	<u>\$ 30,946.00</u>
#340.23 Health/Medical Group Insurance	\$ 118,793.00
<i>Total 300 Series Reductions</i>	<u>\$ 118,793.00</u>
Increase Accounts:	
#203.04 Other Supplies	\$ 38,271.00
<i>Total 200 Series Increases</i>	<u>\$ 38,271.00</u>
Increase Accounts:	
#430.05 PD Car Equipment	\$ 30,946.00
#430.06 PD Other Equip Computer	\$ 29,414.00
#430.12 Police Vehicles	\$ 51,108.00
<i>Total 400 Series Increases</i>	<u>\$ 111,468.00</u>
<b>Total of All Fund/Department Decreases:</b>	<b>\$ 149,739.00</b>
<b>Total of All Fund/Department Increases:</b>	<b>\$ 149,739.00</b>

**DULY RESOLVED and ADOPTED** this 12th Day of December 2016 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
 HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
 Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. **Resolution No. 2016-44:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In Solid Waste Department in the Special Sanitary District Operating Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.  
 Councilor Herak moved the passage and adoption of Resolution No. 2016-44, seconded by Councilor Wagner. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the SOLID WASTE DEPARTMENT in the SANITARY OPERATING FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Solid Waste Department in the Sanitary Operating Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

**Section 2.** That is has been shown that certain existing unobligated appropriations of the **Solid Waste Department in the Sanitary Operating Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

SPECIAL SANITARY DISTRICT OPERATING FUND

**Solid Waste Department**

Reduce Accounts:	
#340.23 Health/Medical	\$ 37,285.00
<i>Total 300 Series Reductions</i>	<b>\$ 37,285.00</b>

Increase Accounts:	
#112.01 FICA/Medicare	\$ 431.35
#112.10 Perf Annuity	\$ 76.18
#111.31 Labor Wages	\$ 28,277.47
#111.37 Billing & Collection Clerks Wages	\$ 8,500.00
<i>Total 100 Series Increases</i>	\$ 37,285.00

<b>Total of All Fund/Department Decreases:</b>	<b>\$ 37,285.00</b>
<b>Total of All Fund/Department Increases:</b>	<b>\$ 37,285.00</b>

DULY RESOLVED and ADOPTED this 12th Day of December 2016 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- Enactment No. 2016-45:** An Enactment Authorizing and Approving A Wellness Initiative For The Municipal Workforce, The Health And Wellness Program Of The IACT Medical Trust, For Its Participating Members, Establishing A Limited Group Health And Wellness Benefit For Municipal Employees And Their Covered Spouses, And Establishing A Compensatory Incentive Under The Terms Of The Compensation And Benefits Ordinance, Pursuant To I.C. 36-1-3 And Other Relevant Statutes.

Councilor Herak introduced and moved the consideration of Enactment 2016-45 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no

negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Enactment 2016-45 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

**Town of Highland  
Enactment (ordinance)  
Enactment No. 2016-45**

**AN ENACTMENT AUTHORIZING and APPROVING A WELLNESS INITIATIVE FOR THE MUNICIPAL WORKFORCE the HEALTH and WELLNESS PROGRAM OF THE IACT MEDICAL TRUST, FOR ITS PARTICIPATING MEMBERS, ESTABLISHING A LIMITED GROUP HEALTH AND WELLNESS BENEFIT FOR MUNICIPAL EMPLOYEES AND THEIR COVERED SPOUSES, AND ESTABLISHING A COMPENSATORY INCENTIVE UNDER THE TERMS OF THE COMPENSATION AND BENEFITS ORDINANCE, PURSUANT TO IC 36-1-3 AND OTHER RELEVANT STATUTES.**

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland;

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

WHEREAS, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees; and

WHEREAS, IC 5-10-8 further authorizes Indiana political subdivisions to participate in and provide for certain compensation plans, and group benefits for its public workforce and officers, some of which have been duly adopted and established by ordinance of the Town; and

WHEREAS, IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns; and

WHEREAS, The Town Council has determined that the establishment of a program for Health and Wellness services for its public workforce, consistent with Indiana Statutes, would be of benefit to support and carryout the public purposes of the municipality; and

**NOW, THEREFORE, BE IT HEREBY ENACTED AND ORDAINED BY** the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That there is established for the municipality a program for Health and Wellness services for its public workforce pursuant to and consistent with the provisions of the relevant governing law;

**Section 2.** That *Community Health Care*, has presented a proposal to operate and provide a program of health and wellness services to the Town of Highland's municipal workforce and covered spouses, who are enrolled in either the PPO or the HDHP of the United Health Care group medical insurance plan, in which *Community Health Care New Healthy Me* will provide delivery of wellness services, particularly in performing health and wellness education sessions, preventative screenings, and related services, subject to a co-pay or an hourly fee, for the primary covered employee, the covered spouse and children (age 18-26), to be paid by the local government;

**Section 3.** That the Town Council further hereby authorizes and approves the payment of the identified individual session fee, as part of the program, in an amount not to exceed \$150, for covered employee, the covered spouse and children (age 18-26), who also participates in the **health and wellness education sessions**, and finds and determines the session cost to be a reasonable and allowable fee to be paid on behalf of the participants in the group health plan as employees by the Town of Highland as employer;

**Section 4.** That the Town Council further hereby authorizes and approves the payment of the identified unit fee, as part of the program, in an amount not to exceed \$35, for covered employee, the covered spouse and children (age 18-26), covered by the group health plan, who also participates in the **audiograms (hearing) screenings**, and finds and determines the unit payment to be a reasonable and allowable fee to be paid on behalf of the participants in the group health plan as employees by the Town of Highland as employer;

**Section 5.** That the Town Council further hereby authorizes and approves the payment of the identified unit fee, as part of the program, in an amount not to exceed \$35, for covered employee, the covered spouse and children (age 18-26), covered by the group health plan, who also participates in the **Memory screenings**, and finds and determines the unit payment to be a reasonable and allowable fee to be paid on behalf of the participants in the group health plan as employees by the Town of Highland as employer;

**Section 6.** That the Town Council further hereby authorizes and approves the payment of the identified individual session fee, as part of the program, in an amount not to exceed \$500, for the **Mini Health Fair Session**, and finds and determines the session cost to be a reasonable and allowable fee to be paid on behalf of the participants in the group health plan as employees by the Town of Highland as employer;

**Section 7.** That the Town Council further hereby authorizes and approves the payment of the identified unit fee, as part of the program, in an amount not to exceed \$30 per blood screening and not to exceed \$35 for each corresponding test, for covered employee, the covered spouse and children (age 18-26), covered by the group health plan, who also participates in **basic blood screenings** and **corresponding age appropriate tests**, and finds and determines the unit cost to be a reasonable and allowable fee to be paid on behalf of the participants of the group health plan as employees by the Town of Highland as employer;

**Section 8.** (A) That the source of the funding for this program shall be the properly identified appropriation in Office of the Town Council in the Corporation General Fund which is established to support wellness expenses;

(B) That the Clerk-Treasurer shall take the steps necessary to carry out the administration of this program from the fund and account identified herein, including causing any additional appropriations hearing(s) that may be necessary, and properly encumbering the amount of money necessary to cover the liability likely to be incurred under the terms of this ordinance.

(C) That the payment of the fee by the municipality for the covered spouse and children (age 18-26) of a covered employee and the Clerk-Treasurer is subject to sufficiency of appropriations available for expenditure pursuant to I.C. 6-1.1-18.

**Section 9.** (A) That all employees covered by the group health plan are required to obtain a preventative medical exam with all age-appropriate testing, complete the Rally Health Survey online, and participate in one (1) town-sponsored wellness event / seminar by **November 30, 2017**;

(B) That any employee that fails to complete the requirements of the wellness plan will pay an increased amount towards the group health insurance benefit;

(C) That in order to incentivize and encourage greater participation by the employees of the municipality, a financial incentive as described in subdivision (D) and (F) of this section shall be authorized;

(D) That the provisions of the Compensation and Benefits Ordinance commonly known as the Municipal Employees handbook, particularly Section §6.03.04 is hereby amended to read as follows:

**§ 6.03.04 Employee Contribution for Certain Group Insurance Premiums**

All full-time employees and the Clerk-Treasurer shall share the cost of the group health premium, which are to be paid through a salary reduction (payroll deduction) taken as a pre-tax payment according to the terms of a duly authorized IRC Section 125 Plan for the Town of Highland. The amount of the shared premium shall be fixed by ordinance as may be passed from time to time. All employees and elected officers may elect to include dependents under their group coverage.

All full-time employees and the Clerk-Treasurer who elect to participate in the group health insurance shall pay the identified share of the group premium based upon the type of enrolled coverage selected by the employee or the clerk-treasurer for the duration of such coverage. These identified shares only apply to those employees newly hired by the municipality who have not yet had an opportunity to participate in a town-sponsored wellness plan. The identified share of the group premium will be calculated as a percentage share of the annual gross base wage or salary of the covered employee, excluding longevity or overtime and then fixed as a flat amount to be paid bi-weekly, according to the following schedule:

**Employee Share of Health Insurance Premium**

Employee Single Coverage	1% of Base Pay
Employee With Children	2% of Base Pay
Employee With Spouse	2% of Base Pay
Family Coverage with Spouse and Children	3% of Base Pay

**Participants in the Town of Highland Wellness Program.** All full-time employees and the Clerk-Treasurer who participate in the group health insurance and who have **completed the online health risk assessment (HRA), obtained a medical preventative exam with all age-appropriate testing, and have participated in one (1) Town-sponsored wellness event**, shall pay the identified share of the group premium based upon the type of enrolled coverage selected by the employee or the clerk-treasurer for the duration of such coverage, **at a reduced rate for coverage in the year 2017**. The identified share of the group premium will be calculated as a percentage share of the annual gross base wage or salary of the covered employee, excluding longevity or overtime and then fixed as a flat amount to be paid bi-weekly, according to the following schedule:

**Employee Share of Health Insurance Premium  
 for Wellness Program Participants**

Employee Single Coverage	.5% of Base Pay
Employee With Children	1.5% of Base Pay
Employee With Spouse	1.5% of Base Pay
Family Coverage with Spouse and Children	2.5% of Base Pay

**Non-Participants in the Town of Highland Wellness Program.** All full-time employees and the Clerk-Treasurer who elect to participate in the group health insurance, but **fail to comply with the mandatory requirements of the wellness program**, shall pay the identified share of the group premium based upon the type of enrolled coverage selected by the employee or the clerk-treasurer for the duration of such coverage. **The contribution percentage will be adjusted to that of participants of the Town of Highland wellness program on the first pay after compliance is determined.** The identified share of the group premium will be calculated as a percentage share of the annual gross base wage or salary of the covered employee, excluding longevity or overtime and then fixed as a flat amount to be paid bi-weekly, according to the following schedule:

**Employee Share of Health Insurance Premium  
 for Non-Participants in the Wellness Program**

Employee Single Coverage	2% of Base Pay
Employee With Children	4% of Base Pay
Employee With Spouse	4% of Base Pay
Family Coverage with Spouse and Children	6% of Base Pay

(E) That the reduced employee group health premium shall be effective and apply to all paydays occurring on or from January 1, 2017 and before January 1, 2018. The amendment to Section 6.03.04 of the Compensation and Benefits Ordinance shall be expire on January 1, 2018. For those employees who received this reduction in a previous year which but for this enactment would be expiring, they are eligible to maintain the reduction provided they participate in the wellness program described in and authorized by this enactment.

**Section 10. Subject to the approving action of the Highland Park and Recreation Board**, all covered employees who participate in the well program will be eligible to obtain an individual membership at the Highland Parks & Recreation Fitness Center at a modified fee to provide further incentive to participation in the IACT Medical Trust Wellness Program.

**Section 11.** That this enactment is to be construed as a companion enactment complimentary to any ordinance or enactment passed from time to time establishing compensation and benefits, known as the Compensation and Benefits Ordinance and commonly promulgated as the Municipal Employees Handbook;

- (A) That this enactment shall be effective to the extent that it is not in conflict with Federal or State law;
- (B) That all other ordinances, enactments and resolutions related to the subject matter of this enactment and not in conflict with its provisions, remain in full force and effect;

**Section 12.** That this authorization shall be construed as an elective group benefit and not an entitlement;

**Section 13.** That this enactment shall become and remain in full force and effect from and after the date of its passage and adoption upon its signature by the executive as attested thereto by the clerk-treasurer, in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 12<sup>th</sup> day of December 2016. Consideration on same day or at same meeting of introduction experienced a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 12<sup>th</sup> Day of December 2016, by the Town Council of the Town of

Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

Bernie Zemen, Town Council President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

4. **Enactment No. 2016-46:** An Enactment Authorizing and Approving a wellness initiative for the municipal workforce supporting flu vaccinations for full-time workers, firefighters, to be paid at the expense of the municipality as employer, pursuant to I.C. 5-10 et seq; and I.C. 36-1-3.

Councilor Wagner introduced and moved the consideration of Enactment 2016-46 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Wagner moved the passage and adoption of Enactment 2016-46 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

**Town of Highland  
Enactment (ordinance)  
Enactment No. 2016-46**

AN ENACTMENT AUTHORIZING AND APPROVING A WELLNESS INITIATIVE FOR THE MUNICIPAL WORKFORCE SUPPORTING FLU VACCINATIONS FOR FULL-TIME WORKERS, FIREFIGHTERS, TO BE PAID AT THE EXPENSE OF THE MUNICIPALITY AS EMPLOYER, PURSUANT TO I.C. 5-10 ET SEQ; AND IC 36-1-3.

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Title 5, Article 10, Chapters 2.2 and 2.6 enables a public employer to provide programs of group health insurance by purchasing policies of group insurance or establishing self-insurance programs.

**WHEREAS**, Title 36, Article 1, Chapters 3 provides that a unit of local government unit has all powers granted it by statute and all other powers *necessary or desirable* in the conduct of its affairs, even though not granted by statute;

**WHEREAS**, Title 36, Article 1, Chapters 3 further provides that a unit of local government desiring to exercise powers under IC 36-1-3, must adopt an ordinance prescribing a specific manner for exercising the power;

**WHEREAS**, The Town Council of the Town of Highland, has been advised of the desirability of establishing a wellness initiative in which flu shot vaccinations are made available to full-time members of the municipal workforce, fire fighters of the Highland Fire Department, as well as their spouses; and,

**WHEREAS**, The Town Council of the Town of Highland, has determined that establishing a wellness initiative in which flu shot vaccinations are made available to full-time members of the municipal workforce, fire fighters of the Highland Fire Department, as well as their spouses to be a desirable action that will promote worker wellness and wellbeing and reduce absenteeism due to flu related illness,

**NOW, THEREFORE BE IT ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That a wellness initiative authorizing flu shot vaccinations to be paid from public funds as an employer provided benefit is hereby approved and authorized for the following identified groups:

- (A) Full-time members of the municipal workforce and the Clerk-Treasurer;

- (B) Member firefighters of the Highland Fire Department;
- (C) Spouses of full-time members of the municipal workforce, the Clerk-Treasurer and member firefighters of the Highland Fire Department;
- (D) Part-time workers whose are regularly scheduled 30 or more hours and have worked in the current year, including but not limited to the Code Enforcement Officer(s), Utility Field Service Representative, and other workers as defined.

**Section 2.** That this authorization is effective from January 1, 2017 continuing until its expiration on December 31, 2018 and shall be construed as an elective group benefit and not an entitlement;

**Section 3.** That this benefit is subject to sufficiency of appropriations available for expenditure in the Office of the Town Council, Corporation General Fund, pursuant to I.C. 6-1.1-18 and shall not exceed the amount of **\$2,500.00**;

**Section 4.** That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 12<sup>th</sup> day of December 2016. Consideration on same day or at same meeting of introduction experienced a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 12<sup>th</sup> Day of December 2016, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Bernie Zemen, Town Council President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

5. Action to approve purchase of up to one-week (five days) of vacation time in lieu of time off, pursuant to Section §5.02.09 of the Compensation and Benefits Ordinance. The Police Chief is asking for approval of the following vacation buy-outs for 2016:

<i>Police Chief, Peter Hojnicky</i>	<i>5 days</i>	<i>\$1,579.96</i>
<i>Assistant Chief, Pat Vassar</i>	<i>5 days</i>	<i>\$1,476.68</i>
<i>Commander, Ralph Potesta</i>	<i>5 days</i>	<i>\$1,371.00</i>
<i>Patrol Officer 1st, Glenn Cox</i>	<i>4 days</i>	<i>\$ 963.13</i>
<i>Support Svcs. Clerk, Kimberly Drake</i>	<i>3 days</i>	<i>\$ 408.24</i>

Councilor Herak moved to approve the purchases of unused vacation as indicated for the Police Chief, Commander Potesta, Patrol Officer Glenn Cox and Support Services Clerk Kimberly Drake. Councilor Vassar seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The vacation buy-backs were approved as indicated.

Councilor Herak moved to approve the purchase of unused vacation as indicated for the Assistant Police Chief, Patrick Vassar. Councilor Wagner seconded. Upon a roll call vote, there were three affirmatives, no negatives and one abstention. With Councilors Herak, Wagner and Zemen voting in the affirmative and Councilor Vassar abstaining, the motion passed. The vacation buy-back was approved as indicated.

**Comments or Remarks from the Town Council: (For the Good of the Order)**

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak expressed his wishes of support for Patrol Officer John Swisher, who was severely injured in a head on crash while on duty this past weekend.

Councilor Herak also commended the Fire Department for its response in extracting Officer Swisher from his police vehicle.

Councilor Herak acknowledged the Public Works Director, who reported that two of the four heavy-duty trucks recently authorized for purchase by the Town Council and the Waterworks Board were delivered.

Councilor Herak wished everyone Merry Christmas.

- **Councilor Dan Vassar:** • *Liaison to the Park and Recreation Board.*

Councilor Vassar thanked the Fire Chief and the Highland Fire Fighters who responded to the incident involving Patrol Officer John Swisher.

Councilor Vassar acknowledged the Parks and Recreation Superintendent who reported that on-line voting for the best decorated house continues. He further reported that the Seasonal Program Brochure would be soon distributed in the TIMES.

Councilor Vassar wished everyone a Merry Christmas.

- **Councilor Steve Wagner:** • *Advisory Board of Zoning Appeals Liaison.*

Councilor Wagner expressed his appreciation to the Fire Department for its response to the accident scene involving Patrol Officer John Swisher. Councilor Wagner further expressed his best wishes for the full recovery of Officer Swisher.

Councilor Wagner offered wishes for a Merry Christmas to everyone.

- **Councilor Konnie Kuiper:** • *Town Board of Metropolitan Police Commissioners, Liaison • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper was absent.

- **Council President Bernie Zemen:** *Municipal Executive Chamber of Commerce Co-Liaison • IT Liaison • Redevelopment Commission Liaison.*

The Town Council President expressed his hopes for Patrol Officer John Swisher's recovery.

The Town Council President acknowledged the Building Commissioner who reported on the matters pending with the Plan Commission.

The Town Council acknowledged the Redevelopment Director who noted that the Town Theater Board of Directors would be meeting this Thursday. She further reported that the First Poet Laureate, Lily Rex, who be organizing a Good Beer, Bad Poetry Event on December 18 from 6-8 p.m. at *Brewfest*, 8347 Kennedy Avenue, Highland. This was consistent with her expressed plans for her year as Poet Laureate.

The Town Council President wishes everyone a Merry Christmas.

**Comments from Visitors or Residents:**

1. Rick Volbrecht, 9221 Parkway Drive, Highland, expressed concern regarding the vote to grant the use variance at 10430-10434 Indianapolis Boulevard. Mr. Volbrecht opined whether another gasoline station was needed and he expressed further concern about the impact on traffic at the site.
2. Pete Hojnicky, Police Chief, 3315 Ridge Road, Highland, expressly commended the Fire Chief and the responding firefighters of the Highland Fire Department for their efforts as first responders to the auto incident that involved an allegedly impaired driver and Officer John Swisher. He especially noted their efforts to extract Officer Swisher from the police vehicle.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public, Councilor Wagner moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period November 29, 2016 through December 12, 2016 and to ratify the payroll docket for the payday of November 25, 2016. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$469,288.34; Motor Vehicle Highway and Street (MVH) Fund, \$38,613.75; Law Enforcement Continuing Education, Training, and Supply Fund, \$1,146.52; Capital Projects Retainage Agency Fund, \$123,878.28; Flexible Spending Account Agency Fund, \$1,535.34; Insurance Premium Agency Fund, \$143,513.44; Information and Communications Technology Fund, \$7,862.20; Special Events Non Reverting Fund, \$2,365.35; Police Pension Fund, \$63,469.41; Cumulative Capital Improvement Fund, \$1,850.00; Municipal Cumulative Capital Development Fund, \$57,826.00; Traffic Violations and Law Enforcement Agency Fund, \$9,434.50; Municipal Cumulative Street Fund, \$2,985.95; Total: \$923,769.08.**

**Payroll Docket for payday of November 25, 2016:**

**Council, Boards and Commissions, \$8,564.00; Office of Clerk-Treasurer, \$15,721.38; Building and Inspection Department, \$8,074.95; Metropolitan Police Department, \$107,041.25; Fire Department, \$3,174.52; Public Works Department (Agency), \$64,450.35 and 1925 Police Pension Plan Pension Fund, \$63,388.68; Total Payroll: \$270,415.13.**

**Adjournment of Plenary Meeting.** Councilor Vassar moved that the plenary meeting be adjourned. Councilor Wagner seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, December 12, 2016 was adjourned at 7:34 O'clock p.m. There was no study session following this meeting.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer